

Introduced by Senator Wolk**(Principal coauthor: Senator Pan)**

(Principal coauthors: Assembly Members Dodd and Quirk)

(Coauthors: Senators Allen, Glazer, Hall, Hancock, and Hertzberg)

(Coauthors: Assembly Members Baker, Cooper, Cristina Garcia,
Gonzalez, Levine, McCarty, and Santiago)

February 10, 2016

An act to add Title 12.2 (commencing with Section 14230) to Part 4 of the Penal Code, relating to firearm violence research.

LEGISLATIVE COUNSEL'S DIGEST

SB 1006, as introduced, Wolk. Firearm Violence Research Center.

Existing law establishes and funds various research centers and programs in conjunction with the University of California.

This bill would enact the California Firearm Violence Research Act. The bill would declare the intent of the Legislature that the Regents of the University of California establish the California Firearm Violence Research Center to research firearm-related violence. The bill would declare legislative intent regarding the principles by which the university would administer the center and award research funds, as prescribed. The bill would require the university to report, on or before December 31, 2017, and every 5 years thereafter, specified information regarding the activities of the center and information pertaining to research grants. The bill would require the center to provide copies of its research publications to the Legislature. The bill would specify that its provisions would apply to the university only to the extent that the Regents, by resolution, make any of the provisions of the bill applicable to the university.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Title 12.2 (commencing with Section 14230) is
2 added to Part 4 of the Penal Code, to read:

3
4 TITLE 12.2. CALIFORNIA FIREARM VIOLENCE
5 RESEARCH ACT
6

7 14230. The Legislature finds and declares the following:

8 (a) Firearm violence is a significant public health and public
9 safety problem in California and nationwide. Nationally, rates of
10 fatal firearm violence have remained essentially unchanged for
11 more than a decade, as declines in homicide have been offset by
12 increases in suicide.

13 (b) California has been the site of some of the nation's most
14 infamous mass shootings, such as those at a McDonald's in San
15 Ysidro, at Cleveland Elementary School in Stockton, near UC
16 Santa Barbara in Isla Vista, and most recently at the Inland
17 Regional Center in San Bernardino. Yet public mass shootings
18 account for less than 1 percent of firearm violence. In 2014, there
19 were 2,939 firearm-related deaths in California, including 1,582
20 suicides, 1,230 homicides, 89 deaths by legal intervention, and 38
21 unintentional or undetermined deaths. In communities where
22 firearm violence is a frequent occurrence, the very structure of
23 daily life is affected.

24 (c) Nationwide, the annual societal cost of firearm violence was
25 estimated at 229 billion dollars (\$229,000,000,000) in 2012. A
26 significant share of this burden falls on California. In 2013, the
27 Office of Statewide Health Planning and Development noted that
28 government-sponsored insurance programs covered nearly
29 two-thirds of the costs of hospitalizations for firearm assaults in
30 California, and about half the costs of hospitalizations for
31 unintentional injuries or those resulting from deliberate self-harm.

32 (d) California has been a leader in responding to this continuing
33 crisis. However, although rates of fatal firearm violence in
34 California are well below average for the 50 states, they are not
35 low enough.

1 (e) Too little is known about firearm violence and its prevention.
2 This is in substantial part because too little research has been done.
3 The need for more research and more sophisticated research has
4 repeatedly been emphasized. Because there has been so little
5 support for research, only a small number of trained investigators
6 are available.

7 (f) When confronted by other major health and social problems,
8 California and the nation have mounted effective responses,
9 coupling an expanded research effort with policy reform in the
10 public's interest. Motor vehicle accidents, cancer, heart disease,
11 and tobacco use are all examples of the benefits of this approach.

12 (g) Federal funding for firearm violence research through the
13 Centers for Disease Control has been virtually eliminated by
14 Congress since 1996, leaving a major gap that must be filled by
15 other sources.

16 14231. (a) It is the intent of the Legislature to establish a center
17 for research into firearm-related violence. It is the intent of the
18 Legislature that the center be administered by the University of
19 California pursuant to the following principles:

20 (1) Interdisciplinary work of the center shall address the
21 following:

22 (A) The nature of firearm violence, including individual and
23 societal determinants of risk for involvement in firearm violence,
24 whether as a victim or a perpetrator.

25 (B) The individual, community, and societal consequences of
26 firearm violence.

27 (C) Prevention and treatment of firearm violence at the
28 individual, community, and societal levels.

29 (2) The center shall conduct basic, translational, and
30 transformative research with a mission to provide the scientific
31 evidence on which sound firearm violence prevention policies and
32 programs can be based. Its research shall extend to firearm violence
33 as a form of terrorism.

34 (3) The center shall work on a continuing basis with
35 policymakers in the Legislature and state agencies to identify,
36 implement, and evaluate innovative firearm violence prevention
37 policies and programs.

38 (4) To help ensure a long-term and successful effort to
39 understand and prevent firearm violence, the center shall recruit
40 and provide specialized training opportunities for new researchers,

1 including experienced investigators in related fields who are
2 beginning work on firearm violence, young investigators who have
3 completed their education, postdoctoral scholars, doctoral students,
4 and undergraduates.

5 (5) It is the intent of the Legislature to support the center's
6 activities by funding the center with an appropriation to a Firearm
7 Violence Research Center Account. The center may also seek
8 additional federal, state, and private funds.

9 (6) As a supplement to its own research, the center shall
10 administer a grants program for research on firearm violence,
11 funded through a research account in the Firearm Violence
12 Research Center Account. All research funds shall be awarded on
13 the basis of scientific merit as determined by an open, competitive
14 peer review process that assures objectivity, consistency, and high
15 quality. All qualified investigators, regardless of institutional
16 affiliation, shall have equal access and opportunity to compete for
17 the funds in the research account.

18 (7) The peer review process for the selection of grants awarded
19 under this program shall be modeled on the process used by the
20 National Institutes of Health in its grantmaking process.

21 (8) Awardees shall be reimbursed for the full cost, both direct
22 and indirect, of conducting the sponsored research consistent with
23 federal guidelines governing all federal research grants and
24 contracts.

25 (b) It is further the intent of the Legislature that on or before
26 December 31, 2017, and every five years thereafter, the University
27 of California transmit programmatic, as well as financial, reports
28 to the state, including a report on the grants made, pending grants,
29 program accomplishments, and the future direction of the program.
30 The report shall be submitted in compliance with Section 9795 of
31 the Government Code.

32 (c) Subject to the conditions and requirements established
33 elsewhere in statute, state agencies, including but not limited to
34 the Department of Justice, the State Department of Public Health,
35 the State Department of Health Care Services, the Office of
36 Statewide Health Planning and Development, and the Department
37 of Motor Vehicles, shall provide to the center, upon proper request,
38 the data necessary for the center to conduct its research.

39 (d) The center and all recipients of grants supported by the
40 research account shall provide copies of their research publications

1 to the Legislature and to agencies supplying data used in the
2 conduct of that research as soon as is practicable following
3 publication. These submissions shall be submitted in compliance
4 with Section 9795 of the Government Code.

5 (e) Toward these ends, the Legislature requests that the Regents
6 of the University of California establish a Firearm Violence
7 Research Center and administer the center and grant program
8 pursuant to and consistent with the principles and goals stated
9 herein.

10 14232. This article shall apply to the University of California
11 only to the extent that the Regents of the University of California,
12 by resolution, make any of these provisions applicable to the
13 university.

O